

SQUIRE
PATTON BOGGS

FILED
U.S. DISTRICT COURT
DISTRICT OF MARYLAND

Squire Patton Boggs (US) LLP
2550 M Street, NW
Washington, DC 20037

2014 JUN 13 P 2:13

O 202-457-6000
202-457-6315
squirepattonboggs.com

CLERK'S OFFICE
JTB

Michael J. Schaengold
T 202-457-6523
michael.schaengold@squirepb.com

June 13, 2014

Clerk's Office
United States District Court for the District of Maryland
6500 Cherrywood Lane, Suite 200
Greenbelt, MD 20770

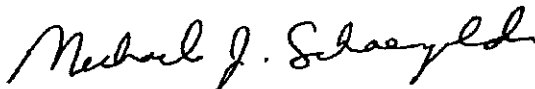
RE: The Henry M. Jackson Foundation v. Norwell, Inc., No. 8:14-cv-01067-RWT (D. Md.)

Dear Sir or Madam:

Pursuant to Judge Titus' Order (ECF No. 22), please find attached the original of a supplemental appeal bond in the amount of \$56,265.60 for the above-referenced case. Please note that the original of an appeal bond for this case in the amount of \$2,567,618 has already been submitted to the Court (and is in the possession of Ms. Jessica Byle). When added together, these two bonds total \$2,623,883.60, which is the amount of the appeal bond(s) required by Judge Titus' Order. See ECF No. 22.

Please call me at 202/457-6523 with any questions. Thank you for your time and consideration of this matter.

Sincerely,



Michael J. Schaengold
Counsel for The Henry M. Jackson Foundation
for the Advancement of Military Medicine, Inc.

Cc (w/Enclosure):
Hon. Roger W. Titus
Marc Hines, Esq.
Ugo Colella, Esq.

Enclosure

44 Offices in 21 Countries

Squire Patton Boggs (US) LLP is part of the international legal practice Squire Patton Boggs which operates worldwide through a number of separate legal entities.

Please visit squirepattonboggs.com for more information.

Appeal Bond
additional bond

Berkley Insurance Company
FILED 412 Mount Kemble Avenue, Suite 310N
U.S. DISTRICT COURT Morristown, NJ 07960
DISTRICT OF MARYLAND

2014 JUN 13 P 2:13

**The Henry M. Jackson Foundation for the Advancement of
Military Medicine, Inc.**

Plaintiff(s)

-against-

Norwell, Inc.

Defendant(s)

Bond No. 0172614

Index or
Cause No. **RWT 14cv1067**

KNOW ALL MEN BY THESE PRESENTS, that we **The Henry M. Jackson Foundation for the Advancement of Military Medicine, Inc.**, as Principal, and **Berkley Insurance Company**, a corporation organized under the laws of the State of **Delaware** and authorized to do business in the State of **Maryland**, as Surety, are held and firmly bound unto **Norwell, Inc.**, as Obligee, in the maximum penal sum of **Fifty Sixty Thousand Two Hundred Sixty Five and 60/100 Dollars (\$56,265.60)**, lawful money of the United States of America, for which payment well and truly to be made we bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, the Principal has appealed or will promptly appeal to the **United States Court of Appeals for the Fourth Circuit** from a judgment entered on the **30th** day of **May, 2014** by the **United States District Court for the District of Maryland**.

NOW, THEREFORE, the condition of this obligation is such that if the Principal shall diligently prosecute its appeal to a decision, and shall promptly perform and satisfy the judgment, then this obligation will be void; otherwise to remain in full, force and effect.

SIGNED, SEALED AND DATED this **12th** day of **June, 2014**.

**The Henry M. Jackson Foundation for the
Advancement of Military Medicine, Inc.**

By: 

Craig D. Anderson, Senior Vice President & CFO

Berkley Insurance Company

By: 

Marina B. Tapia, Attorney-in-Fact

NOTICE: The warning found elsewhere in this Power of Attorney affects the validity thereof. Please review carefully.

KNOW ALL MEN BY THESE PRESENTS, that BERKLEY INSURANCE COMPANY (the "Company"), a corporation duly organized and existing under the laws of the State of Delaware, having its principal office in Greenwich, CT, has made, constituted and appointed, and does by these presents make, constitute and appoint: *Elizabeth Marrero, Maureen McNeill, Wayne G. McVaugh, Colleen A. Locher, Kathleen C. Dzon, Neil H. Brown, Barbara L. Rutter, Marina B. Tapia or Jaquanda S. Long of Aon Risk Services Central, Inc. of Philadelphia, PA* its true and lawful Attorney-in-Fact, to sign its name as surety only as delineated below and to execute, seal, acknowledge and deliver any and all bonds and undertakings, with the exception of Financial Guaranty Insurance, providing that no single obligation shall exceed **Fifty Million and 00/100 U.S. Dollars (U.S.\$50,000,000.00)**, to the same extent as if such bonds had been duly executed and acknowledged by the regularly elected officers of the Company at its principal office in their own proper persons.

This Power of Attorney shall be construed and enforced in accordance with, and governed by, the laws of the State of Delaware, without giving effect to the principles of conflicts of laws thereof. This Power of Attorney is granted pursuant to the following resolutions which were duly and validly adopted at a meeting of the Board of Directors of the Company held on January 25, 2010:

RESOLVED, that, with respect to the Surety business written by Berkley Surety Group, the Chairman of the Board, Chief Executive Officer, President or any Vice President of the Company, in conjunction with the Secretary or any Assistant Secretary are hereby authorized to execute powers of attorney authorizing and qualifying the attorney-in-fact named therein to execute bonds, undertakings, recognizances, or other suretyship obligations on behalf of the Company, and to affix the corporate seal of the Company to powers of attorney executed pursuant hereto; and said officers may remove any such attorney-in-fact and revoke any power of attorney previously granted; and further

RESOLVED, that such power of attorney limits the acts of those named therein to the bonds, undertakings, recognizances, or other suretyship obligations specifically named therein, and they have no authority to bind the Company except in the manner and to the extent therein stated; and further

RESOLVED, that such power of attorney revokes all previous powers issued on behalf of the attorney-in-fact named; and further

RESOLVED, that the signature of any authorized officer and the seal of the Company may be affixed by facsimile to any power of attorney or certification thereof authorizing the execution and delivery of any bond, undertaking, recognizance, or other suretyship obligation of the Company; and such signature and seal when so used shall have the same force and effect as though manually affixed. The Company may continue to use for the purposes herein stated the facsimile signature of any person or persons who shall have been such officer or officers of the Company, notwithstanding the fact that they may have ceased to be such at the time when such instruments shall be issued.

IN WITNESS WHEREOF, the Company has caused these presents to be signed and attested by its appropriate officers and its corporate seal hereunto affixed this 6 day of November, 2013.

Attest:

Berkley Insurance Company

(Seal)

By

Ira S. Lederman
 Senior Vice President & Secretary

By

Jeffrey M. Hafter
 Senior Vice President

WARNING: THIS POWER INVALID IF NOT PRINTED ON BLUE "BERKLEY" SECURITY PAPER.

STATE OF CONNECTICUT)

) ss:

COUNTY OF FAIRFIELD)

Sworn to before me, a Notary Public in the State of Connecticut, this 6 day of November, 2013, by Ira S. Lederman and Jeffrey M. Hafter who are sworn to me to be the Senior Vice President and Secretary, and the Senior Vice President, respectively, of Berkley Insurance Company.

Kathleen Corey
 Notary Public, State of Connecticut

KATHLEEN COREY
 NOTARY PUBLIC
 CONNECTICUT
 MY COMMISSION EXPIRES OCTOBER 31, 2017

CERTIFICATE

I, the undersigned, Assistant Secretary of BERKLEY INSURANCE COMPANY, DO HEREBY CERTIFY that the foregoing is a true, correct and complete copy of the original Power of Attorney; that said Power of Attorney has not been revoked or rescinded and that the authority of the Attorney-in-Fact set forth therein, who executed the bond or undertaking to which this Power of Attorney is attached, is in full force and effect as of this date.

Given under my hand and seal of the Company, this 12th day of June, 2014.

(Seal)

Andrew M. Turna

WARNING - Any unauthorized reproduction or alteration of this document is prohibited. This power of attorney is void unless seals are readable and the certification seal at the bottom is embossed. The background imprint, warning and confirmation (on reverse) must be in blue ink.

BERKLEY INSURANCE COMPANY

STATUTORY BALANCE SHEET DECEMBER 31, 2012 (AMOUNTS IN THOUSANDS)

Admitted Assets

Bonds	\$	4,659,717
Common & Preferred Stocks		3,430,623
Cash & Short Term Investments		406,683
Premiums Receivable		339,099
Other Assets		<u>1,437,453</u>

<u>Total Admitted Assets</u>	\$	<u>10,273,576</u>
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Liabilities & Surplus

Loss & LAE Reserves	\$	4,523,183
Unearned Premium Reserves		750,584
Other Liabilities		<u>293,820</u>

<u>Total Liabilities</u>	\$	<u>5,567,586</u>
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Capital Stock	\$	43,000
Additional Paid In Capital		2,636,030
Unassigned Surplus		<u>1,977,221</u>

<u>Total Policyholders' Surplus</u>	\$	<u>4,656,251</u>
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<u>Total Liabilities & Surplus</u>	\$	<u>10,223,838</u>
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Officers:

President: W. Robert Berkley, Jr.
Secretary: Ira Seth Lederman
Treasurer: Eugene George Ballard
Sr. Vice President & General Counsel:
Rajiv Nayan Raval

Directors:

William Robert Berkley,
Chairman
W. Robert Berkley, Jr.
Eugene George Ballard
Paul James Hancock
Carol Josephine LaPunzina
Ira Seth Lederman
C. Fred Madsen